NEW YORK HERAID, SATURDAY, JAMILARY SECTOR WITH SUFFLERENT.

THE STATE CAPITAL.

The Constitutional Amendments in the Senate and Assembly.

What Our Future Constitution Is To Be.

The Sepatorial Districts of New York and Kings Counties Safe at Last.

A Dull Session, but Plenty of Jobs Ahead.

ALBANY, Jan. 23, 1874. n is quite probable, judging from the slow coach way in which both houses so far have seen fit to carry on their daily work, that the short se sion so many people have been talking about be so short after all. Speaker Husted has already begun to complain, and a good many people from New York and elsewhere who are now here and who had hoped that we were to have a really reform Legislature, without making any talk about at, have decided to leave town and do all they car by postal order for five months or so, to help the country members to get along without starving. It may be that the absence of the loboy has done great deal up to the present time to make things disagreeable to the new members who have come here on commercial bargains intent; but whether this is really the special cause for the general dulness or not, it may be said that Albany never before saw such a dull fortnight during a legislative session as we have had since New Year's. It only goes to show that legislation as to New York city has heretofore been the magnet which drew crowds to this city, and which ren dered the lobby and the two houses themselves a general rendezvous for place seekers and place payers. Without New York county occasionally getting attended to in either one house or the other, in a small or a great way, it is not to be exnected that the great men of either party will do much to show what they really amount to.

The Senate again to-day had a stormy time of it over the constitutional amendments, section 4 of article 3 being, as I intimated a week ago that it A BONE OF CONTENTION

with both parties. As the section interests New York and Kings counties more than any other counties in the State, I herewith append a careful cussion was begun by Senator Robertson. He thought that the section should be stricken out for two reasons. In the first place it was calculated to do great injustice to the counties of Kings and New York, and in the second place it was against sound policy, seeing that if this section is left in the article it is pretty certain to defeat the whole of it. Many provisions of it were of great importance. He thought the Legislature had the power to strike out this article without jeopardizing the

to strike out this article without jeopardizing the rest of the section.

Mr. LOWREY said that if in the opinion of the lawyers of the Senate the section could be stricken out without endangering the whole of the article he would vote for striking it out.

Mr. ROBERTSON replied that he was of the opinion that the section could be stricken out without endangering the rest of the sections.

Mr. GANSON was in favor of striking out the section. Its practical effect was to disenfranchise a large section of the people of this State. It would be obviously unjust to keep any section in the constitution that would promote an inequality in representation. He thought there could be no debate on the question as to the section in the constitution that would promote an inequality in representation. He thought there could be no debate on the question as to the right of the Senate to strike out the section. In any action which the Senate might take in passing these amendments they would not commit themselves to any policy; they would simply indicate that the amendments were a subject matter right to be submitted to the people. The approval law with the people and not with their representatives. Therefore, he was in favor of letting the fifth article go to the people. The subject matter of the article was proper to go to the people for their decision. The question was not one of democratic or republican blood; politics did not enter into it at all. At the polis the Senators can vote, as citizens, as they choose, uncumbarrassed by any action which they may take as representatives. In regard to the Judiciary article he would say, in passing, that he was opposed to it as to one of its sections that provided that, in cities having a population of not less than 300,00, certain judicial officers were to be appointed by the Governor. The article might as well contain a provision that the cities of New York and Brooklys should not have THE SAME RIGHTS AS THE OTHER CITIES OF THE STATS.

That, in his opinion, was not a correct subject

That, in his opinion, was not a correct subject matter to be submitted to the people. The prin-ciple was fundamentally wrong, and he should op-nose it. pose it.

Mr. Lord said he could not understand the argu-

Mr. Lord said he could not understand the argument of the Senator from the Thirty-first (Mr. Ganson). He stated he was willing to let the articles go to the people, and that the Senators had no responsibility in the matter, and yet he was in favor of striking out the section under consideration. The Senator said, besides, that it made no difference whether a man had democratic or republican blood, a proposition to which he (Mr. Lord) could not agree. The speaker then referred to the last Constitutional Commission, and said that at the time Governor Houman had tramed the Commission men had had his ear who had control of the city of New York and wanted to control the whole State. The Governor had been in favor of his own renomination, but the views in his last Message had killed him, and he did not come up again. The republican party said the responsibility in the matter could not be laid at their door, and so said the Beening Journal. But he held otherwise. If the republican party passes these amendments they must take the responsibility. Commission named by the Governor to

The Commission named by the Governor to amend the constitution was an unexceptional one, but it had been appointed to carry out the Governor's recommendations. The Governor favored the appointment of the Secretary of State and Comptroller, but the Commission did not go so far. The election of State officers oughs to have been left to the people. The Senator then spoke of the make up of the last Constitutional Commission as compared with some of its mai Commission as compared with some of its edecessors. In former constitutional commis-ms the farmers of the State had a large repre-ntation, but in the last there was not a single

sons the larmers of the State had a large representation, but in the last there was not a single farmer.

THE PARMERS WERE VOTED OF NO ACCOUNT. and the farmers in return told the Governor that they did't want him any longer. The trouble was that the Governor had placed himself in the hands of bad advisers, some of whom were now absent in Europe, and some were—elsewhere.

Mr. GANSON, in reply, said that he did not propose to discuss party politics in the consideration of the amendments. The field of party politics had very little attraction for him, and, judging from the tattered and torn appearance of some of those who had passed through it, he judged that the prophet had correctly described it when he spoke of a field "full of brambles and thorns, and the joy of wild asses." The Senator then reiterated his arguments, and said that if the Senator from the Twenty-eighth (Mr. Lord) could not take his meaning it was not his (Mr. Ganson's) lank. He was not possessed of superhuman power.

Mr. Woodin said that he thought there was a grave doubt as to the integrity of article 3 if the fourth section was stricken out. Some of the Senators had intimated that they thought otherwise, but had not given the reasons on which they based their opinion. The question for the Senate to decide was as to whether they agreed to the amendments, and the people would hold them responsible for their decision. He thought the section under consideration might be suomiffed to the people as a distinct amendment, and so any inconvenience or trouble be avoided.

Mr. King desired to say that, in his opinion, politics had no place in the discussion of the amendments. The Commission that iramed the amendments.

Mr. King desired to say that, in his opinion, polidies had no place in the discussion of the amendments. The Commission that framed the amendments was non-partisan, and was composed of
capable and honest men.

Mr. Cox said that he considered the question of
the ameudments non-partisan. The section under
consideration was not just, and if the article
passed without striking it out it would load the
article so heavily that its deleat was certain. He
desired to call the attention of the Senate to the
fact that if this article were lost the third article of
the constitution of 1846 would be in force, and
under that the county of Kings was enutted to one
Senator.

Senator.

Mr. Parkenter spoke briefly in favor of striking out the section. He considered that the Senate could do so without affecting the remainder of the article, and the justice of doing so was not dis-The motion to strike out section 4 of article 3 was then adopted by a vote of year 26, nays 2, as follows:—

foliows:—
YRAS-Messrs. Abbott. Booth, Bradley, Coe, Connolly,
Dayton, Dow. Fox. danson, Gross, Jacobs, Johnson,
Kellong, Ledwith, Lord, Lowery, McGowan, Middleton,
Parme Royal Cheerson, Thompson, Wagner, Wellnns, Wood and Kodin-Lo.
Navz-Messrs King and selkreg-2,

Mr. LEDWITH moved to strike out so much of

dicin omeers of courts not of record, in cit less having a population of not less than 200,000, shall be appointed by the Governor.

Mr. Bradley said he would like to hear an expression from the Senators from New York and Brooklyn. If they were in favor of retaining it he was—if not, not. The amendment had regard only to the local and inferior courts. He himself thought that localities should control in such matters, and the Constitutional Commission would not have made the amendment in question had it not been for THE UNITED REQUEST OF THE PEOPLE OF NEW YORK

AND BROOKLYN.

If New York and Brooklyn did not desire the change he would not vote for it.

Mr. Ganson said that he saw no propriety in allowing the people of the whole State to pass to refer the matter to the beople of the counties interested he would not oppose it.

Mr. Coe said that the opinion of the people of New York and Brooklyn was set forth in their vote on the judicial article last fall.

New York and Brooklyn was set forth in their vote on the judicial article last fail.

Mr. Gross said that he spoke for the entire New York delegation and had to say that New York was unanimously opposed to the amendment.

Mr. Parmerren considered the amendment wrong in principle and would vote for the motion to strike out.

The motion on striking out was then put and carried—yeas 28, nays 1—as follows:—

The motion on striking out was then put and carried—yeas 28, nays 1—as follows:—
Yras—Messrs Abbott, Booth, Bradiey, Coe, Cole, Connolly, Dayton, Dow. Fox, Ganson, Gross, Jacobs, Johnson, Sailog, King, Ledwith, Lord, Lowery, McGowan, Middeton, Parmenter, Ray, Robertson, Thompson, Wagner, Wellman, Wood, Woodin—28.
Nays—Mr. Selkreg—1.

The question was then taken upon the amendments as amended.
When the name of Mr. Lord was called he asked to be excused from voting. The vote covered the whole constitution as amended. Some of the amendments were to his liking, others were not. After listening to the debate on the last section under consideration he was strengthened in his opposition. He was opposed to the appointment of State officers by the Governor, and would vote no.

Mr. Wood inquired of the Chair if each of the amendments did not have to be adopted separately.

The CHAIR replied that, if the amendments were adopted, they would be engrossed for third read-ing, the same as a bill. The vote on each resolu-tion would be taken separately.

The amendments were adopted by a vote of— yeas 20; nays 9, as follows:—

YRAB-Mesrs, Abbott, Booth, Bradley, Coe, Coie, Connoily, Dow, Ganson, Gross, Kellogg, King, Lowery, McGowan, Middleton, Robertson, Thompson, Wagner, Wellman, Wood, Woodin-20.

NAYS-Mesrs: Dayton, Pox, Jacobs, Johnson, Ledwith, Lord, Parmenter, Hay, Selkreg-9.

Nava-Mesers Dayton, Pox. Jacobs. Johnson, Ledwith, Lord, Parmenter, fay, Schreg-2.

The concurrent resolution proposing an amendment to article 2 of the constitution also gave occasion for considerable of a debate in the lower House. The discussion which ensued upon it was a very interesting one, and brought to the surface the opinions and sentiments as to the amendments generally, which have heretofore only been maters of speculation and doubt. When the article was called up

Mr. Berre moved to recommit, with instructions to strike out all after the thirty-sixth line, including the final resolutions, and report forthwith. He believed it impolitic and unwise to add anything beyond what was passed upon by the last Legislature. The added propositions do not help the amendment and former no part of it. He wanted these resolutions stricken from all the amendments as superfluous matter.

Mr. PRINCE Insisted that the premule and resolutions referred to were inserted in accordance with uniform precedent. Similar resolutions had always been added by the second Legislature in passing upon constitutional amendments, and he deemed it safe, at least, to follow the established precedent.

The motion was lost, and the concurrent reso-

ne deemed it safe, at least, to follow the established precedent.

The motion was lost, and the concurrent resolution was then read a third time and passed, \$1 to 1—Mr. Aboel. Concurrent resolutions providing amendments to article 3 of the constitution.

Mr. Weap moved to commit with instructions to strike out section 4 of the article, providing for enumeration of the State, &c., every ten years. He did not believe the people of the State would vote affirmatively upon this section, and it ought to be stricken out.

did not believe the people of the State would vote affirmatively upon this section, and it ought to be stricken out.

Mr. Prince admitted that a mistake had been made in inserting the section referred to, and he also was of the opinion that it would

Not be endoesed by the Prople.

He regarded it, however, as an independent proposition which could be stricken out without endangering the article.

Mr. Alberger thought we would be trying a dangerous experiment by striking out this section, and was not at all sure that the other amendments would not be endangered thereby.

Mr. Alvord said that the balance of the amendment would not be endangered thereby.

Mr. Alvord said that the balance of the whole number, and it was eminently desirable that it should be submitted to the people in proper form. He thought the course proposed by the gentleman iron Clinton the one which ought to be pursued, and he had good legal authority for believing that such a course would be perfectly sale.

Mr. Beebe urged that the Legislature was required to vote by year and nays on this article in its entirety, and it would be extremely unsale to mutiliate it in accordance with the verbal opinion of some legal gentlemen. We had no right to assume that the

article in its entirety, and it would be extremely usage to mutilate it in accordance with the verbal opinion of some legal gentlemen. We had no right to assume that the people would not endorse this fourth section. The article was regarded as a complete entity by the last House, and we have no right to separate any portion of it. He thought, however, that section four might be submitted separately, and he had no objection to such a course. The action proposed would be nothing but a mockery of legislation, and he was opposed to it.

Mr. Weed regarded this section as an insuperable objection. It would work great hardships upon the people, and perhaps lead to unfortunate legal complications. He was not opposed to the remainder of the article, but he could not vote with this section in it.

this section in it.

Mr. BATCHELLER said there was no doubt if this

section was left in the article it will defeat it. It might be submitted, however, with a provision that each clause of the article may be submitted. might be submitted, however, with a provision that each clause of the article may be submitted.

Mr. Vedder thought the gentleman from Queens (Mr. Prince) had backed down from the ground occupied by him the other day, which was that these articles could not be amended in any way. He thought that the article embodied the principle that the Assembly and Senatorial districts should remain as they are for ever. If this section is stricken out we change a principle adopted by the last Legislature. If we change section 4 we radically change the principle of the article, and it will embody an entirely different principle. He did not think the section could be touched without endangering the passage or the validity of the article.

Mr. Prince called attention to the fact that this article contained important provisions respecting general and special legislation. The question had been a hoboy with him, and it was important to himself that the article should be adopted without delay. The Senate had taken legal advice upon this matter, and within the last half hour had stricken out the section referred to. He thought there was very little donot of the salety of the proposed course, but he was willing that the amendment should be committed without instructions, so that

AMPLE LEGAL ADVICE COULD BE SOUGHT and every precaution taken against committing a mistake.

Mr. Sherwood thought there was a good deal of

AMPLE LEGAL ADVICE COULD BE SOUGHT and every precaution taken against committing a mistake.

Mr. Sherwood thought there was a good deal of talk and very little action. There is one proposition in the article under consideration which, he predicted, would be voted down by 200,000 majority—the clause giving members of the Assembly \$15 a day. This was too much money to pay for the blowing which is done here. If the section could be amended, by making it \$6 per day, we might stand some chance before the dear people. As it now stands there is not much chance of its adoption, and he advised the members to stop blowing and do something.

Mr. Berre thought, in all deference to the wisdom of the Senate, that we were treading on dangerous ground. It was perfectly apparent to nim that if this section were stricken out the whole article would be destroyed. He did not want to see it defeated, and he noped the article would be committed without instructions, so that some course would be adopted which would save it.

The amendment of Mr. Barcheller was then agreed to and the article committed without instructions.

Concurrent resolution proposing amendments to article 4 of the constitution:—

Mr. Weed moved to recommit it. with instructions to amend so that the Governor's stairy, and the clause providing that no subject shall be acted upon at extra sessions except such as the Governor may recommend, the clause seeking an increase of \$10,000 in the Governor's salary, and the clause allowing the tovernor to object to one or more items in appropriation bills and approve of others. Lost.

The Britton Case Still Open.

The Britton Case Still Open.

All reports concerning the action or conclusion of the Governor in the case of District Attorney

NEW YORK LEGISLATURE.

SENATE.

ALBANY, Jan. 23, 1874. The special order, the consideration of the proposed amendment to the constitution, came un after the reading of the journal.

Mr. Rosertson (rep.) renewed the motion of Mr. Gross (dem.) to strike out section 4, article 3, of the proposed amendments. He gave it as his opinion that the section could be stricken out without jeopardizing the remainder of the proposed amendment.

Mr. Ganson (dem.) argued that it was competent to strike out the section. It was an unjust provision, as it would produce an inequality in the Legislature. He argued that the action of the Senate was not final; the people at the polls will approve or reject the amendments. The simple question of duty for the Senate was to revise the proposed amendments and place them before the section is of article as provides that certain ju- | people to vote upon. The speaker also argued

against the new judiciary article, claiming that it would be unjust to the voters of the large districts of the State. Mr. LORD (dem.) said the proposed amendments

to the constitution were conceived in inequality. He criticised very sharply

THE POSITION OF GOVERNOR HOFFMAN in one of his messages recommending certain of the proposed amendments, remarking that at that time Governor Hoffman was surrounded by bad men, who had control of the city of New York and were endeavoring to extend their power over the State. He gave statistics of the occupations of the members of the recent Constitutional Commission, showing that not one farmer was a member, not a person coming directly from the masses of

not a person coming directly from the masses of the people.

Mr. Wood (rep.) remarked that he had heard no reason or argument given establishing the power of the Senate to strike out or amend the proposed amendments. He suggested that the only way to solve the question was to submit the section under dispute separately to the people for their approval or rejection.

Mr. Parmenter (dem.) said the Legislature clearly had the power to strike out the fourth section. The democratic party was opposed to it. The proposition was an unfair one, and he was glad to see many republican Senators voting to strike it out.

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Mr. Cog (dem.) argued that the fourth section would prove a great injustice to the people of the southern portion of the State. His county would roil up a majority against it which would probably carry down all that was good in the entire article; by the passage of this section Kings county would have but one Senator. This would be a great injustice to the people of that district. The motion to strike out was carried by yeas 28, nays 2—Messrs. Selkreg and King voting in the negative.

Mr. Ledwith (dem.) moved to strike out the proposed amendments in section 18, article 6, relative to judicial officers of courts not of record in New York and Brooklyn. The amendments propose to give the power of appointment to the Governor.

Mr. Ganson argued in favor of striking them out. He said it would not be just to submit to the people of the State at large a question affecting New York and Brooklyn alone.

Messrs. Gross, Coe and Ledwith said the feeling was unanimous among the Senators from those districts in favor of striking out the proposed amendments in section 18.

The motion to strike out was carried by yeas 28, nay 1—Mr. Selkreg voting nay.

The question of agreeing with the report of the

The motion to strike out was carried by year 28, may 1—Mr. Seikreg voting may.

The question of agreeing with the report of the committee as amended coming up it was agreed to by the following vote:—

Vasa-Messrs Abbott, Booth, Bradley, Coc. Cole. Con-nolly, Dow. Ganson, Gross, Keltogg, King, Lowery, Mattewan, Middleton, Robertson, Thompson, Wagner, Wellman, Wood and Woodin—30, Thompson, Wagner, Nats-Messrs, Dayton, Fox, Jacobs, Johnson, Ledwith, Lord, Farmonier, Ray and Selkreg—9.

The CHAIR presented the report of the State Preasurer; also of the Auditor of the Canal De-Treasurer; also of the Auditor of the Canal Department.

Mr. Robertson, from the Judiciary Committee, reported adversely on the bill providing for taking testimony in divorce cases publicly.

INTEREST BILL REJECTED.

A report was also received from the same committee adversely to the bill allowing a rate of interest equal to twelve per cent in the city of New York.

York, Mr. King argued in favor of the bill. He would go further, and leave the borrower and lender to

and the woll and the first and leave the borrower and lender to fix their own rates.

The reports were agreed to and the bill rejected. The same committee also reported adversely on the bill relative to Courts of Oyer and Terminer and on the bill for the payment of counsel in certain cases, and on the bill proposing to allow persons practicing in the United States Courts to practice in the Courts of this State. Agreed to,

By Mr. LEDWITH-To incorporate the American By Mr. LEDWITH-To incorporate the American Mortgage Company.
By Mr. Thomrson-For the payment of canal damages to James Whalen.
By Mr. Fox-Providing that section 3 of chapter 423 of the Laws of 1873 be amended to read as follows:—"The several officers and attendants of said Court may be removed at pleasure, and any vacancy may be filled by the said Court."
Mr. Robertson introduced a bill providing that no appeal shall be taken to the Court of Appeals where the amount in the proceedings does not exceed \$500.

Ledwith's bill names as first corporators of

William B. Ogden, Charles Butler, Robert B. Rooseveit, Charles J. Condor, W. L. Scudder, Jr., and William B. Draper. The capital stock is \$1,000,000. The company may loan money on personal property, &c. The Assembly bill to appropriate \$200,000 to resume work at once on the new Capitol building was received and referred to the Finance Commit-

senator Woop, Chairman of the committee, said that the committee will carefully consider the report of the work before any additional appropriation is recommended.

port of the work before any tion is recommended.

To extend the time for the collection of taxes in the towns of the State.

Authorizing the city of Rochester to issue its bonds in aid of the State Line Railroad,

Mr. Wood offered the following, which was

Resolved;—
Resolved, That the Finance Committee be authorized and directed to examine into the management and the expenditures of such institutions or building commissions as last year received, or this year are applying for, appropriations from the State treasury, with power to send for persous and papers.

Adjourned until Monday evening, at half-past seven o'clock.

ALBANY, Jan. 23, 1874. As a special order the House went into commit-THE PUBLIC PARK COMMISSIONERS

of New York. The bill transfers the powers and duties to the Common Council.

After an explanation by Mr. C. S. SPENCER that. in his opinion, the jurisdiction ought to rest with

After an explanation by Mr. C. S. SPENCER that, in his opinion, the jurisdiction ought to rest with the Park Commissioners, but as all appeared to be agreed upon the bill he would support it, the bill was ordered to a third reading.

Mr. Daly asked consent that the bill be now read and passed, but the Chair objected.

Mr. C. S. SPENCER presented a petition from the bank tellers of New York and Brooklyn, asking that they be exempted from jury duty, which he had read.

Mr. Mallyin presented a petition of stone-cutters asking that the stone used in the new Capitol building be cut on the Capitol grounds at Albany, and not in any other State. It was read.

By Mr. PRINCE—To enable aliens to hold real estate; also authorizing the appointment of clerks in Marine Courts in New York.

Mr. Eastman reported adversely on a bill to amend the charter of the city of Buffalo. The report was agreed to and the bill rejected. It proposed to transfer a portion of the duties of the District Attorney to his deputy.

BILLS PASSED.

Authorizing the Comptroller of the city of New York to issue bonds to pay bonds heretofore issued.

Mr. C. S. Spencer moved am amendment requiring the assent of three members of the Board of Estimate.

This was agreed to and the bill passed.

f Estimate.
This was agreed to and the bill passed.
The concurrent resulting This was agreed to and the bill passed. The concurrent resolution proposing amendments to the constitution relative to the elective franchise was announced.

Mr. Beede moved to strike out the preamble and explanatory resolutions as non-essential.

Mr. PRINCE admitted they were not essential. Still it was customary to attach them, and he thought the custom should be achered to.

Mr. Beede's motion was passed.

The resolution relative to the Legislature was announced.

The resolution relative to the Legislature was announced.

Mr. Werd moved to strike out the clause requiring a census every four years, and debate was had similar to that in the Senate on the same article.

Mr. Barcheller moved to recommit the resolution without instructions, so that the committee may report an article which whi receive the approbation of all. Carried.

The resolution to amend article 4, having reference to the Executive department, was announced.

Mr. WEED moved to restore the term of office of

Mr. Weed moved to restore the term of office of Governor to two years instead of making it three. He also moved to strike out the part giving power to the Governor to veto parts of bills. The motion was lost and the resolution adopted.

BILLS INTRODUCED.

By Mr. EASTMAN—Authorizing railroads of other States to hold real estate in this State.

By Mr. ALBERGER—Extending the act for the octres security of mechanics to the county of Erie, excepting the city of Buffalo; also, to exempt the county of Erie from the provisions of the act or regulate the fees of Coroners, and for the making of and compensation for post-mortem examinations; also, to authorize the Grand Trunk Railway Company to purchase and hold real estate; also, to amend the Buffalo police act. It makes more precincts and increases the powers of the Commissioners.

nore preciners.

By Mr. Oakley—Amending the charter of the Cotton Exchange of New York.

By Mr. Leake—Allowing members of the Legislature to hold office under the government of New Mr. Bennett offered a resolution calling on the

Mr. Bennerr offered a resolution calling on the Comptroller for reports of the amounts due from County Treasurers. Adopted.

Mr. Oakley introduced a bill to amend the charter of the Cotton and Produce Exchange Clearing House Association of the City of New York, which gives privileges to the association the same as those held by saic deposit companies.

Mr. Lincoln presented a petition of John T. Purbeck dialming the seat in the Assembly held by Charles Simon, from Onondaya. Referred to the Committee on Privileges and Elections.

Adjourned till Monday evening.

SUDDEN DEATH.

BUFFALO, Jan. 23, 1874. Albert Haller Tracy, eldest son of the late Albert H. Tracy, of this city, was found dead in his bed yesterday morning from apoplexy. He was a graduate of Yale College and occupied a prominent position in this his native city.

AMUSEMENTS.

English Opera-"Maritana." The most popular of Wallace's works was given last night at the Academy of Music, with the following cast :- Maritana, Mrs. Jennie Van Zandt; Lazarillo, Mrs. Zelda Seguin; Don Cæsar d Bazan, Mr. Wilford Morgan; Don José, M Hall. The house was a very howing the appreciation of the one, showing York public for English opera when properly presented. The performance, as far as real merit was concerned, was confined to the efforts of Mrs. Van Zandt and Mrs. Seguin, who achieved a success of the most flattering kind. The Maritana of the evening, who had to contend against the reminiscences of the greatest representative of the rôle we have ever had in this city, poor Parena whose memory will never fade in the minds English operagoers, created an impression nothing less than that which Miss Kellogg left in the roles of Lucia and Martha. The well known airs entrusted to the soprano were interpreted by Mirs. Van Zandt in a truly artistic spirit. Mrs. Seguin's Van Zandt in a truly artistic spirit. Mrs. Seguin's Lazarillo is too well known here to need extended comment. Her success last night was of the most emphatic kind. Mr. Morgan bears the closest resemblance to Mr. Castle of any artist we have heard in this city, but in his rendering of the well known song, "Let me like a soldier fail," he failed to reach that artist's standard of excellence. His efforts in the earlier scenes of the opera were not satisfactory, but as he warmed up to his work he regained considerably what he lost at his first appearance. His acting of the character of Don Casar was full of spirit and comic humor, and if his voice had been commensurate with his dramatic talent his impersonation would have been complete. But he failed to supply the vocal requisites of the rôle, and some of the best numbers fell flat in his hands. Mr. Morgan's voice is agreeable in tone, but the style is English operagoers, created an impression nothnumbers fell flat in his hands. Mr. Morgan's voice is agreeable in tone, but the style is rather crude and unfinished. Mr. Hall was a decided failure in the Mephistophelean character of Don José. There was not one redeeming quality about his impersonation. The other rôles were sairly filled, and the chorus and orchestra under Mr. Howson's direction were admirable. Mrs. Van Zandt and Mrs. Seguin were the principal features of last night's performance. A matinee of "The Bohemian Giri" will be given to-day, with Miss Kellogg in the title rôle.

Evening.

A stranger entering Association Hall last evening a lew moments after eight o'clock might have imagined that the opening prayer had just been uttered and that the text was about to be announced. The somewhat clerical appearance which characterized Mr. Murdoch when he last appeared in public in this city as a reader has deepened with the process of time. There is more silver in his hair, perhaps there is a little more silver in his speech, and certainly there is a mellower and gentler light nnon artists who are equally safe in retirement and upon the stage. While he is in the one he is never forgotten, and when he returns to the other the public always proves that he has been remembered. This was the case last night. Although the announcements had been few and brief a much larger audience than that which usually assembles on the occasion of an entertainment at Association Hall was convened. Every seat, excepting a sew in very undesirable portions of the gallery, was occupied, and if the reception was not so hearty as that which would have been accorded to Mr. Murdoch in the theatre, we must remember that the majority of the audience was composed of those who do not frequent the drama and who were familiar with Mr. Murdoch mainly through his reputation. The programme prepared was long enough to occupy pieasantly two hours. It consisted of Lord Lytton's translation of Schiller's fine poem of "The Diver;" several scenes from "Hamiet," litustrative of the speculative tendencies of the Danish Prince's mind; one of the small stories embodied in "The Pickwick Papers," and describing Tom Smart's experience with the buxom widow; Charles Mackay's powerful and tragic poem describing a Sectish Chief's revenge, and the very amusing chapter in which the ruse is described by means of which Job Trotter gets the better of Mr. Pickwick and Sam Weller. We could not see that time had deprived Mr. Murdoch of an lota of that ability which has made him almost as popular in the lecture room as on the stage. The task which a public reader sets himself is a difficult one—more difficult in some respects than that of an actor. He has not only various climaxes to work up, but the climaxes are distinct in material and do not arise out of each other. Instead of which usually assembles on the occasion of an enone—more difficult in some respects than that of an actor. He has not only various climaxes to work up, but the climaxes are distinct in material and do not arise out of each other. Instead of rounding and making symmetrical one identity, as the actor during a single evening's work is restricted to doing, he is compelied to develop half a dozen identities and to give a reasonable degree of completeness to each. His impersonations differ as much in kind as in degree, and the more diversified his programme the greater the strain. The selections in which Mr. Murdoon was most successful were those which were devoted to the soliloquies and long speeches of Hamiet, the two poems that we have mentioned and the Job Trotter episode. He is not by any means what could correctly be called a picturesque or florid reader. His action is never so theatrical that we forget the absence of scenery and costume. But his intelligence is so penetrating, his study so accurate, his sympathies so fine and true and his reading so careful that the impression left upon the appreciator's memory is as incisive as an intaglio. In interpreting the secene between Hamiet and his mother he was least successful, because he is not many-voiced, like is as incisive as an intaglio. In interpreting the scene between Hamlet and his mother he was least successful, because he is not many-voiced, like Mrs. Kemble, and failed to sustain thoroughly the identities by charging the pitch of his voice. The description of Tom Smart's experiences with the buxom widow is not in Dickens' best vein, and it is scarcely surprising that Mr. Murdoch should fail in giving to the episode a fascination which it originally lacks. The advertisements state that the reading of last evening is the only one Mr. Murdoch will give in this city during the present winter. We hope this is not the case; and, if it is not, we venture to entreat various young men, who, we hope, do not constitute the saplings and underbrush of the association, either to secure seats or to remain motionless at their several standing points, or to stay away altogether during the next reading. Last evening they were an inexpressible nuisance to every one within six yards of the doors. They talked, they whispered, they stalked in and out, they banged the portals and behaved generally in rather an unchristian spirit—a fault which may possibly be forgiven to their youth. It was very easy to get fifty cents' worth of them, but not, in their company, to get fifty cents' worth of Mr. Murdoch.

Musical and Dramatic Notes. A resurrection of "La Grande Duchesse de Gérol

tein" was celebrated last evening at the Terrace Garden Tneatre.

"American Humor." He will deliver it at Asso-ciation Hall on Monday night. It is calculated that Miss Lucille Western pulls

the fringe off fifty-two shawls per year as an ex-pression of remorse in Lady Isabel and Mme. Vine. The first English opera matinée of the season will be given at the Academy of Music to-day. The Bohemian Girl" will be offered, with Miss Kel-

logg in the principal rôle.

Mr. Theodore Thomas' third symphony concert occurs to-night at Steinway Hall. Mr. Maurel will sing twice. We have already mentioned the other eatures of the excellent programme.

A succession of German dramas is being indus triously produced at the Germania Theatre, under the directorship of Mr. Neuendorff. Gruber's "Per Meineidbauer" was brought out last night.
The managers of the Colosseum object to exhibiting "London by Day" by foglight, and will theretore for the present dispiay Paris by moonlight, starlight and gaslight, both afternoon and evening. Mrs. John Drew's Theatre used a few years ag to be the Wallack's of Philadelphra. It is now the home of the local, sensational and "Buffalo Bill" drama, excepting on those few occasions when the accomplished manager, once the most fascinating comédienne in America, sees fit to appear.

In Eleazer Steirer, a Jewish minister, the amusement world has lost an extraordinary barytone. He was offered strong inducements to appear on the operatic stage provided he would abandon his mufti and dowing ringlets. He conscientiously refused, and returned in holy elation to the obscure Polish village whence he had come and where he

Miss Violetta Colville, if report be correct, was the only successful member of an opera company that recently gave a performance at Verona, Italy. The orchestra was anothematized the tenor and barytone were hissed in fury from the stage and dience, able to go home that evening with a feeling

At Christmas the manager of a Liverpool theatre advertised for good looking singing ladies. He received 300 replies. A country hotel chambermaid swore she was full of histrionic talent and cut a good figure. A titled lady, with £7,000 per year, dresses. A laundry maid wanted a part where she could tend a dairy, and a Taunton young lady sent a yard of auburn hair as a specimen of her charms. Could such an attraction as this jast b railed capillary attraction?

DISAPPOINTED FREE THINKERS.

Another Demonstration Folled. During the past week efforts were made by an association of German ultra-radicals, known as the German Free Thinkers' Union, to get up a demonstration, the object of which was to denounce the course of the police authorities in regard to the conduct of the police toward the crowd that was assembled in Tompkins square on the day of the intended demonstration. A committee of arrangements was appointed, which engaged the New York Assembly Rooms, corner of Second avenue and First street, as the place where the "mass neeting" was to be held, and all arrangements fo the contemplated demonstration bad been per-fected, which was to have come of last night,

the contemplated demonstration had been perfected, which was to have come off last night, but the sfair turned out to be a complete "fizzle," owing to the fact that the proprietor of the place referred to did not keep the contract which he had entered into with the committee of the Free Thinkers, but refused to admit them and their adherents to the Hall. The committee, headed by Conrad Kuhn and others, in vain repeatedly offered him payment in advance of \$2.5, the sum agreed upon as the price for the use of the hall at the time of opening the meeting last night.

At the appointed hour—about eight o'clock—a crowd of several thousand persons were gathered in front of the building in Second avenue, and upon learning the lact that they would not be admitted to the hall considerable excitement ensued, but no excesses of any kind occurred. Several members of the Free Thinkers' Committee ascended the stoops of the building, and each briefly harangued the crowd, violently denouncing the police authorities, to whom it was attributed that through intimidation they had influenced the proprietor of the Assembly Rooms, causing him to rejuse to let the place for the intended demonstration. Although the speakers refrained from inciting excess, they were violent in their denunciation of this outrage, as they characterized it, on the rights and privileges of American citizens—on their rights of free speech.

of American citizens—on their rights and privileges of American citizens—on their rights of free speech. They were repeatedly interrupted with violent outbursts of applause by the crowd, which, how-ever, as soon as the free thinkers had finished their harangues, quietly disnerand.

ever, as soon as the free thinkers had finished their harangues, quietly dispersed. Although not a single police officer was seen among the crowd nor in its immediate vicinity, ample arrangements had been made by the police authorities for any emergency, and a considerable lorce of detectives were distributed among the crowd to watch the movements of individuals.

THE LEADERS OF THE MOVEMENT.

The free thinkers then repaired to their club room, room 32 Turn Hall, in Forty-second street, where a meeting was held for the purpose of taking action in the premises, Mr. Gundiach presiding. It was then resolved at once to sue the proprietor of the New York Assembly Rooms, Mr. Sulzer, for damages for breach of contract, and a committee was appointed to make arrangements for the lease of the Cooper Union hall or any other large hall for some evening next week, not earlier than Wednesday, for the purpose of expressing their indignation and demanding the rights of citizens without abridgement. It was also resolved to invite the co-operation of other societies, in view of the general importance and bearing of the topics to be discussed.

THE COMMITTEE OF SAFELY

Preparation for the Great Workingmen's Assembly at Albany on Tues-

Last evening at Masonic Hall the Committee of Safety connected with the workingmen's organization, and calling themselves on this oc-casion the "Workingmen's Central Counmet in the back room of the basement of Masonic Hall, in Thirteenth street, near Fourth avenue. The room was not engaged till some time after nine o'clock, and then they filed in in a mysterious manner. Among those present were Mr. Carsiey, who wrote the famous letter to Benjamin F. Butler, demanding lauds for the workingmen and a free colonization scheme to be passed by Congress: Captain John Crump, a well known civil and military engineer,

scheme to be passed by Congress; Captain John Crump, a well known civil and military engineer, and Theodore E. Tominson.

The meeting of the Committee of Safety was held with closed doors and their deliberations were kept secret, yet enough was gathered from after talk to assure the readers of the Herald that this Committee of Safety will go to Albany on Monday night, and when they there meet will govern the Workingmen's State Assembly.

From what was said last night it is more than evident that this "State Assembly" of the workingmen, to be held in Albany on Tuesday, will be the largest and most positive of its kind ever held in the United States. Delegates will be present from Ohio, Michigan, Wisconsin and other Western States, and the method of representation will be the same as that which is used in the apportionment by population of the Congressional districts of the United States, yet dinering somewhat in detail—as, for instance, the city of New York will send either thirty-one or thirty-two delegates, each workingmen's society being represented according to its numbers and standing in the general Union.

NATIONAL HEALTH.

NATIONAL HEALTH.

Adjournment of the Council at Washington-The Establishment of a National Sanitary Bureau Urged-Visit to the President and His Speech.

WASHINGTON, Jan. 23, 1874. The National Health Council adjourned sine die to-day, after adopting a report, including the fol-

lowing resolutions:

Resolved, That in the opinion of this Council no measure could be presented for legislation more important in its result on the health and property of the American people than that of a properly regulated national sanitary bureau.

Resolved, That this Council do approve early legislation by Congress, looking to the establishment of a National Sanitary Bureau, and the communitee is hereby instructed to prepare a suitable law to be introduced into the present Congress and to urge its adoption.

Resolved, That the members present be requested to communicate with the Senators and members of their respective States and districts and urge upon them the importance of the proposed measure, invoking their earnest co-operation.

ADDRESS TO THE PRESIDENT.
The members, by appointment, called upon
President of the United States, when Mr. 1
Boardman, President of the Council, said:—

Mn. President of the Council, said:—

Mn. President—We have come as a delegation of mu
nicipal boards of neath from some of the principal
cities of the Union, to whom has been committed the all
important trust of the health of the people, the preservation of which constitutes a State. Our province 1
rather deeds than words, and so we merely desire to
thank you heartily for your invitation to visit the near
of the nation and cordially to wish for you that best o
the blossings of heaven—good health.

THE PRESIDENT'S REPLY.
The President replied:-GENTLEMEN—I am very happy to see you in the capacity in which you present yourselves. In your relations as an association of health boards your objects are highly commendable and entitled to great consideration by all classes. It is not my province now to say more than to express my wish that your objects may be successful. Again I thank you for your visit.

ART MATTERS.

Portrait of Mr. Gladstone.

Mr. Herbert, the eminent Royal Academician, who has been paying a visit to Mr. Gladstone at nawarden castle, daily devotes considerable time to painting a full length portrait of the Premier, which, when finished, is destined for the Queen's collection at Windsor. So far as the work has already been proceeded with the likeness is ad-mirable, and the picture gives promise of all that might be expected from an artist of such rare power.

LOUISIANA PUNDING BILL

NEW ORLEANS, Jan. 23, 1874. The Funding bill passed the Senate to-day, with-out amendment, unanimously. The bill and the constitutional amendments will be signed by the Governor and promulgated in the official lournal

n Sunday. Governor Kellogg has replied to the protest of Governor Kellogg has replied to the protest of foreign bondholders that he believes their action is founded on imperfect information; that he has transmitted to them a full statement of the facts which have led the State government to propose the funding scheme, and that on careful consideration of these data he believes the Council will agree with the Chamber of Commerce of New Orleans, and many of the largest holders of Louisians bonds in this country, that the course proposed is the best both for the State and the bondholders, and the only way to avoid virtual repudiation.

THOROUGH EXECUTION

A Murderer's Head Cut Off by the Hangman's Cord.

SAN PRANCISCO, Cal., Jan. 23, 1874. Marshall Morton was hanged at Martinez to-day for the murder of Valentine Eischler, near Antioch Contra Costa county, Cal. On the scaffold he said that the murdered man's wife instigated the murder. She is now in the Asynum for the Insane. Morton made a juli confession of his part in the crime. When the drop fell his head was entirely severed from his body, which fell lifeless to the ground.

CASUALTY FROM WIND.

PITTSBURG, Jan. 23, 1874. A heavy wind storm prevailed here to-day. The roof of the converting house of the Edgar Thompson steel works, at Braddock's Fields, was torn of by the wind. Four men were seriously injured.

A RECKLESS DRIVER INDICTED.

WORCESTER, Mass., Jap. 23, 1874. The Grand Jury have indicted Charles Moore for causing the death of Asa Streeter, in this city, by carelessly driving over him on the street, from \$2,000,000 to \$5,000,000, which is required to extend the works of the company,

THE SIAMESE TWINS.

Dr. Hollinsworth's Story of the Double Death.

NO PHYSICIAN CALLED IN.

The Family Averse to Any Scientific Examination of the Bodies, Which Are Embalmed and Jealously Guarded-Efforts on Behalf of Science to Overcome the Objection.

PHILADELPHIA, Jan. 23, 1874. In an interview with Dr. Hollinsworth, of North Carolina, this evening he stated to your correspondent the following facts:-"There was a mistake made in the telegram which was published in the newspapers this morning announcing that I attended the Siamese twins at the time of their

NO MEDICAL ATTENDANCE IN THEIR LAST ILLNESS. No one attended them. I was their family physician two years ago, but subsequently they have had no regular medical adviser at all. As many particulars concerning their death have aiready appeared in the HERALD as can be learned the road from the plantations of the twins. THE DOUBLE DEATH.

About all at present understood is that a little negro girl says they went to bed, and the next morning one was dead. The other called feebly, and when an attendant entered he found one stin and cold and the other rapidly becoming so, beirg in a clammy, prespiring state, and showing upon his countenance every symptom of approaching death. He realized his situation, and said that he could not live."

To give the full statement of the Doctor would be simply to reproduce all that has appeared in the HERALD hitherto from Mount Airy, where the twins lived and died.

THE BODIES CAREFULLY PRESERVED. The bodies of the twins are now in an embalmed state and can be kept in perfect preservation for a long time to come. So wary are the members of the two families that the bodies are placed in a position from which they cannot possibly be approached without their knowledge.

JEALOUSY OF SCIENTIFIC CURSOSITY. The wives of Chang and Eng have positively refused to allow a post-mortem examination, but they wish to consult first with their children, several of whom are in distant parts of the State. One of the daughters, a very consumptive person and one whose life seems to be nearly run out, is strenuously opposed to the post-mortem, and owing to her peculiar bodily condition, the othe. members of the family are very rejuctant to do anything so exceedingly disagreeable to her.

EFFORTS TO OVERCOME THE DECISION. Every inducement that can be offered will be brought to bear upon the daughter and all the rest of the children, with the view of securing a study so beneficial and so curious to medical, physiclogical and psychological science. Every effort will also be made to have the examination take place either in New York or this city, where the very best medical skill and authority can witness

and take part in the post-mortem. Concerning the present location of the bodies Dr. Hollinsworth maintains the extremest reticence, only stating that, as they are situated now, they are so guarded that

THEY CANNOT POSSIBLY BE GOT AT. The Doctor seemed to speak as if the families were exceedingly suspicious, and had taken every precaution to prevent any gratification of unlicensed scientific curiosity. Dr. Hollinsworth has left a representative at home from whom he daily expects correspondence, which will inform him of the final decision at which the members of the family arrive. A great deal of interest is manifested by the local medical faaternity, and the hope is entertained that the post-mortem may take place here.

HOWES & MACY.

Action of the Creditors' Meeting Vesterday.

An informal meeting of the creditors of Howes & Macy, bankrupts, was held last evening at the Metropolitan Hotel, on the call of Thomas J. Lyman, of Phelps, Ontario county, to take into consideration what action should be taken by the creditors at the meeting to-day at the office of Register Dayton and who the creditors should and on a careful count being taken it was discovered that \$356,837 69 of claims were represented. The meeting being called to order, Mr. Abram Wakeman was elected chairman, and Mr. Charles D. Ingersoll was chosen secretary. The meeting was addressed by Messrs. Lyman, Miller, Ingersoil, Morrell, Gibson and Frost as to the desirability of the meeting nominating a candidate for the position of assignee. It was stated by several creditors that Messrs. was stated by several creditors that Messrs. Howes & Macy were exerting all their influence in favor of Mr. J. Neison Tappan for the position. Mr. Miller stated that transfers of real estate in April, 1872, by Mr. Howes to a member of his family had been discovered, the consideration for the transfer being \$1. It was the general sentiment that the election of Mr. Tappan would be a victory for the bankrupts, and all creditors were called upon to revoke their powers of attorney, if they had given them to irlends of Messrs. Howes & Macy, which must be done before twelve o'clock to-day. A committee of the constitution Howes & Macy, which must be done before twelve o'clock to-day. A committee of five, consisting of Messrs. Lyman, Miller, Nash, Morrell and Hubbard, were, on motion, appointed by the chair, to decide who should be presented to the meeting for its nomination for assignee. The committee, after deliberation, reported the name of Mr. Charles S. Brown, No. 55 Pine street, ex-President of the American National Bank. The Chairman stated that he knew Mr. Brown and vouched for his character and ability. Mr. Nash and others gave their assurance as to his capacity and honor. Upon motion of Mr. Blackstone the meeting decided to nominate Mr. Charles S. Brown for assignee, which nomination was, on a vote, made unanimous, and all were called upon to work and vote for him. The meeting then adjourned.

NAVAL INTELLIGENCE.

A special correspondence to the HERALD, dated at Yokohama, Japan, on the 7th of December, reports as follows :- The United States ships Idaho, Palos, Saco and Ashuelot are at Yokohama. The Monocacy left on the 4th inst, for China. The Lackawanna is at Nagasaki and the Hartford (flag-sing) is on her way to that port.

Movements of the Fleet at Key West-Arrival of the Ticonderoga and the

Shenandoah. Key West, Fla., Jan. 23, 1874. The Ticonderoga, from the South Atlantic squadron, and the Shenandoah, from the Mediterranean, arrived here early this morning. The Mavflower is ordered to Mobile to bring back an old hulk for torpedo practice. The Powhatan, Captain Beaumont, will leave for Noriolk to-morrow with discharged and stek men. Captain Whiting, of the Worcester; Lieutenant Marix and Engineer John Roach arrived in the steamer to-day, after which the Worcester sailed for Hawana.

BROOKLYN MORTALITY

There were 156 deaths in Brooklyn during the week. Of the deceased 101 were males and 95 females; 153 were natives of the United States, lemates; 133 were marves of the Children States, 24 of Ireland, 8 of Germany, 4 of England, 2 of Scot-land and 5 of other countries. Consumption car-ried off 22; convulsions, 16; pneumonia, 25; con-gestion, 6; scarlatina, 10; diphtheria, 9; croup, 9, and measies, 4. The highest death rate was in the Sixteenth ward, where there were 26 deaths.

East Twenty-third street, to hold an inquest on the body of Conrad Waller, a Norwegian lad, twelve years of age, who was killed the evening previous by a brick failing upon his head, while playing in the old House of Refuge, corner of Twenty-third street and Pirst avenue. There are three or four witnesses to the occurrence.

KILLED BY A FALLING BRICK.

Coroner Eickhoff was yesterday called to No. 345

MORE GAS FOR BOSTON. Boston, Jan. 23, 1874. The Boston Gas Light Company has applied to

the Legislature for leave to increase its capital